

S. B. No. 8, A bill to be entitled "An Act amending Article 7336 of the Civil Statutes of Texas (Revision of 1925), providing a penalty on State and county taxes if not paid by the 31st day of January next succeeding the return of the assessment rolls of the county to the Comptroller; and providing for the collector of taxes to seize and levy upon and sell so much of the personal property belonging to the person whose taxes are delinquent as may be sufficient to pay his taxes together with the ten per cent penalty, interests and all costs accruing thereon; etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with recommendation that it do pass and be not printed for the reason that it has been printed.

MOORE, Chairman.

EIGHTH DAY.

Senate Chamber,

Austin, Texas, Jan. 22, 1931.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor Edgar E. Witt.

The roll was called, a quorum being present, the following Senators answering to their names:

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Poage.
DeBerry.	Pollard.
Gainer.	Purl.
Greer.	Rawlings.
Hardin.	Russek.
Holbrook.	Small.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Lov.	Williamson.
Martin.	Woodul.
Moore.	Woodruff.
Neal.	Woodward.
Oneal.	

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Woodward.

Petitions and Memorials.

(See Appendix.)

Committee Reports.

(See Appendix.)

Bills and Resolutions.

By Senator Woodul:

S. J. R. No. 5, Proposing an amendment to Article IX of the Constitution of the State of Texas so as to authorize counties having cities of a population in excess of Two Hundred Thousand (200,000) inhabitants to adopt suitable charter providing for the government of such county, city and any or all governmental districts municipal or quasi-municipal, within such county, subject to such limitations as may be prescribed by the Legislature; providing for an election upon such proposed constitutional amendment, and making an appropriation therefor.

Read and referred to Committee on Constitutional Amendments.

By Senator Berkeley:

S. B. No. 56, A bill to be entitled "An Act to amend Article 7695, revised civil statutes, relating to the first three years' interest to accrue on bonds of water improvement districts, and providing that the maximum amount of bonds to be issued by any such district may include a sum sufficient to pay the first three years' interest to accrue on said bonds, and when such power is exercised no taxes shall be levied for said three year period, except to pay off and discharge notes provided for in Article 7634; defining, approving and validating elections held in any such districts which were for the purpose of authorizing boards of directors thereof to use the balance of the proceeds of interest bonds to pay interest after the expiration of any three year period of time; enacting provisions incident and necessary to the subject and purpose of this act; and declaring an emergency."

Read and referred to Committee on Mining, Irrigation and Drainage.

By Senator Woodward:

S. B. No. 57, A bill to be entitled "An Act to regulate the practice of law in Texas, to create the State Bar of Texas, to provide its powers and duties and for the regulation of the conduct of its affairs; to authorize and empower said State Bar

to make rules subject to the approval of the Supreme Court for the regulation of the practice of the law in this State, and for the admission to the practice of law in this State, and for the reprimand, suspension or disbarment for cause of such practitioners and for their reinstatement, and declaring an emergency."

Read and referred to Committee on Civil Jurisprudence.

By Senator Woodward:

S. B. No. 58, A bill to be entitled "An Act to authorize corporations organized under Art. 1302, R. C. S. 1925, to act as trustees of certain trusts committed to them by will, and declaring an emergency."

Read and referred to Committee on Civil Jurisprudence.

By Senator Woodward:

S. B. No. 59, A bill to be entitled "An Act to amend Articles 2239 and 2242 of the Revised Statutes so as to permit the filing of statements of fact in duplicate, either in narrative or question and answer form, and declaring an emergency."

Read and referred to Committee on Civil Jurisprudence.

By Senator Woodward:

S. B. No. 60, A bill to be entitled "An Act to amend Articles 1847 and 1848 Chapter 3, Title 39, of the Revised Statutes, so as to provide for the filing of records in the order received, for setting the cases for submission, and the notification of parties of the receipt and the date set for hearing and declaring an emergency."

Read and referred to Committee on Civil Jurisprudence.

By Senator Woodward:

S. B. No. 61, A bill to be entitled "An Act to amend Article 1845, Chapter 3, Title 39, so as to dispense with the necessity of a file docket, and providing for docketing all causes on the trial docket, and declaring an emergency."

Read and referred to Committee on Civil Jurisprudence.

By Senator Woodward:

S. B. No. 62, A bill to be entitled "An Act to amend Article 2208, Chapter 8, Title 42, of the Revised Civil Statutes, so as to provide for the filing of findings of fact and conclusions of law by the trial judge

in cases where a peremptory instruction is given, as well as in cases tried before the court without a jury, and declaring an emergency."

Read and referred to Committee on Civil Jurisprudence.

By Senator Woodward:

S. B. No. 63, A bill to be entitled "An Act to amend Article 1839, Chapter 3, Title 39, of the Revised Civil Statutes, so as to fix the time for filing the transcript in the Court of Civil Appeals and providing for an extension of such time for cause shown, and declaring an emergency."

Read and referred to Committee on Civil Jurisprudence.

By Senator Woodward:

S. B. No. 64, A bill to be entitled "An Act to amend Article 2246, Chapter 11, Title 42, of the Revised Civil Statutes, fixing the time for filing statements of facts and bills of exception, and providing for the extension of time where good cause is shown, and declaring an emergency."

Read and referred to Committee on Civil Jurisprudence.

By Senator Woodward:

S. B. No. 65, A bill to be entitled "An Act to amend Articles 1844 and 2281 of the Revised Statutes so as to allow assignments of error and cross assignments of error in briefs instead of the record, and declaring an emergency."

Read and referred to Committee on Civil Jurisprudence.

By Senator Woodward:

S. B. No. 66, A Bill to be entitled "An Act to regulate nominations of candidates for district judges, criminal district judges, justices of the courts of civil appeals, judges of the Court of Criminal Appeals, and justices of the Supreme Court by political parties casting one hundred thousand votes or more for their candidates for governor at the last general election, making this Act take precedence over laws in conflict herewith, and declaring an emergency."

Read and referred to Committee on Civil Jurisprudence.

By Senator Woodward:

S. B. No. 67, A Bill, to be entitled "An Act to extend the period of lim-

itation because of filing of any action in the wrong court, unless opposite party shows intentional disregard of jurisdiction, and declaring an emergency.

Read and referred to Committee on Emergency.

By Senator Woodward:

S. B. No. 68, A Bill to be entitled "An Act saving amendments from limitation, and declaring an emergency."

Read and referred to Committee on Civil Jurisprudence.

By Senator Woodward:

S. B. No. 69, A Bill to be entitled "An Act to extend time for filing findings in fact and conclusions of law and in such respect to amend Revised Statutes Art. 2247, and declaring an emergency."

Read and referred to Committee on Civil Jurisprudence.

By Senator Holbrook:

S. B. No. 70, A Bill to be entitled "An Act, authorizing and directing the Commissioner of the General Land Office of the State of Texas, to deed, convey, assign and/or transfer all right, title and interest of whatsoever class, kind or character, directly or indirectly belonging to the State of Texas, in and to certain abutting property known as the Texas City or Government Dike, to the City of Texas City in Galveston County, Texas, and declaring an emergency."

Read and referred to Committee on Mining, Irrigation and Drainage.

By Senator Parrish:

S. B. No. 71, A Bill to be entitled "An Act amending Chapter 167 Acts of the Regular Session of the Forty-first Legislature; and declaring an emergency."

Read and referred to Committee on Civil Jurisprudence.

By Senator Parr:

S. B. No. 72, A Bill to be entitled "An Act amending Section 79 of Article 199, Title 8, Revised Civil Statutes of 1925, changing the 79th Judicial District, providing the jurisdiction of said court and the fixing of terms of court writs and bonds issued, served, executed or entered into shall be returned to the respective courts, prescribing the duties of such courts, and prescribing the time of the taking effect hereof."

Read and referred to Committee on Judicial Districts.

By Senator Neal:

S. B. No. 73, A bill to be entitled "An Act to amend Article 2763, R. S. 1925 relating to supervision of independent districts of fewer than 500 scholastics; repealing all laws in conflict herewith and declaring an emergency."

Read and referred to Committee on Educational Affairs.

By Senator Neal:

S. B. No. 74, A bill to be entitled "An Act to amend Section 8, Chapter 10, Acts of the Forty-first Legislature, Second Called Session, relating to the duties of the State Board of Education pertaining to teachers certificates; protecting rights of teachers holding certificates under existing law; repealing all laws in conflict herewith, and declaring an emergency."

Read and referred to Committee on Educational Affairs.

By Senator Beck:

S. B. No. 75, A bill to be entitled "An Act making appropriations to cover deficiencies in appropriations heretofore made for the support of the State Government for the fiscal years ending August 31, 1931 and declaring an emergency."

Read and referred to Committee on Finance.

By Senator Beck:

S. B. No. 76, A bill to be entitled "An Act making appropriation to cover deficiencies in appropriations heretofore made for the support of the Judiciary Department of the State Government of the State of Texas, for the fiscal years ending August 31, 1923, '25, '27, '28, '29 and '30, and declaring an emergency."

Read and referred to Committee on Finance.

By Senator Thomason:

S. B. No. 77, A bill to be entitled "An Act repealing Senate Bill No. 132, Chapter 70 of the Second Called Session of the Forty-first Legislature and validating election of County School Superintendent in certain counties, that have an area of eight hundred eighty-nine square miles and a population of between 12,000 and 15,000."

Read and referred to Committee on Educational Affairs.

By Senator Williamson:

S. B. No. 78, A bill to be entitled "An Act amending Section 8 of the Acts of the 41st Legislature, Chapter 107, relating to the practice of pharmacy and regulating the distribution, compounding, mixing, manufacturing, and selling of drugs, medicine, poisons, narcotics, and derivatives; defining poisons as used in this act; providing for certain exceptions, and declaring an emergency."

Read and referred to Committee on Public Health.

By Senator Williamson:

S. B. No. 79, A bill to be entitled "An Act amending Section 15, 16, 17 and 19 of the Acts of 1929, 41st Legislature, Page 242, Chapter 107 all relating to the practice of pharmacy, and regulating the distributions, compounding, manufacturing and sales of medicines, drugs, and chemicals in the State of Texas; defining the terms pharmacists, and pharmacy, drugs and drug store; providing for exceptions from the provisions of said Act, and Chapter and declaring an emergency."

Read and referred to Committee on Public Health.

By Senator Small:

S. B. No. 80, A bill to be entitled "An Act to amend Chapter 64 of the Acts of the Regular Session of the Thirty-fifth Legislature, page 123, relating to the salary of District Attorneys, and amending Chapter 55 of the Acts of the Regular Session of the Thirty-fifth Legislature, page 94, relating to the appointment and compensation of Assistants to District Attorneys, and amending Article 1021 of the Code of Criminal procedure of Texas relating to the per diem of District Attorneys in all Judicial Districts composed of two or more counties, and limiting the per diem to 230 days in any one year and amending Article 324 of the Revised Civil Statutes and Article 324-B of the Revised Civil Statutes in reference to Assistant District Attorneys insofar only as said Acts and articles conflict with the provisions of this Act relating to these matters in and for the 47th Judicial District of Texas; fixing herein the salary of the District At-

torney in and for the 47th Judicial District. and his deputies, assistants, investigators, and stenographer, and providing for the method of appointment of such deputies, assistants, investigators, and stenographer, and fixing the salaries thereof in and for the 47th Judicial District of Texas, composed of the Counties of Potter, Randall, and Armstrong, and providing that should any section or part of any section of this Act be held to be invalid, unconstitutional or inoperative that no other section or part of section thereof shall be held to be affected thereby, and declaring an emergency."

Read and referred to Committee on Criminal Jurisprudence.

By Senator Small:

S. B. No. 81, A bill to be entitled "An Act to establish and maintain an agricultural experiment station in the Panhandle region of Texas, authorizing the Board of Directors of the Agricultural and Mechanical College of Texas to select a suitable location for said station, and empowering said Board to establish and maintain the same, to accept donations of lands, water and money for the establishment of said station, making an appropriation to pay the cost of establishing said station, and for the operation of same, and declaring an emergency."

Read and referred to Committee on Agricultural Affairs.

By Senator Patton:

S. B. No. 82, A bill to be entitled "An Act providing for the trial of insane convicts, who are inmates of the Texas Prison System; providing for the filing of affidavits of insanity; fixing the venues of such trials; and providing for all the payments of all expense incident thereto; and declaring an emergency."

Read and referred to Committee on Criminal Jurisprudence.

By Senator Purl:

S. B. No. 83, A bill to be entitled "An Act Amending Article 4690, Chapter 1, and Article 5061, Chapters of 1925, by adding thereto Articles 4690-a and 5061a, respectively; providing that all fees collected for the examination of insurance companies shall be paid by

the company or persons examined in such a manner as the Commissioner of Insurance shall certify to be just and reasonable and that the assessments therefor shall be made by the Commissioner upon the insurance companies examined in proportion to assets or resources of such companies; providing for the employment of persons to make such examinations; making an appropriation and declaring an emergency."

Read and referred to Committee on Insurance.

By Senator Woodruff:

S. B. No. 84, A bill to be entitled "An Act to allow Office and Traveling Expense of the Superintendents of Public Instruction in each county in Texas having a population of not less than 18,755 nor more than 18,765 according to the Federal Census of 1930; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Read and referred to Committee on Educational Affairs.

Simple Resolution No. 15.

Senator Pollard sent up the following resolution:

Be it Resolved by the Senate that the constitutional rule requiring Governor's nominations be postponed until the end of the first thirty days of the Session of the Legislature, and that all appointments of the Governor be heard by the Committee on Governor's nomination and that those recommended to be confirmed, be considered in executive Session at 11 a. m. today.

POLLARD.

The resolution was read and adopted by the following vote:

Yeas—31.

Beck.	Neal.
Berkeley.	Oneal.
Cousins.	Parr.
Cunningham.	Parrish.
DeBerry.	Patton.
Gainer.	Poage.
Greer.	Pollard.
Hardin.	Purl.
Holbrook.	Rawlings.
Hopkins.	Russek.
Hornsby.	Small.
Loy.	Stevenson.
Martin.	Thomason.
Moore.	Williamson.

Woodul.
Woodruff.

Woodward.

Resolutions Signed.

The Chair, Lieut. Gov. Edgar Witt, gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read, the following resolutions:

S. C. R. No. 8.
H. C. R. No. 4.

Message from the House.

Hall of the House of Representatives,
Austin, Texas, Jan. 22, 1931.

Hon. Edgar Witt, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following resolutions:

S. C. R. No. 6, Providing for the expenses incurred by the Inauguration Committee.

H. C. R. No. 8, Providing for a joint committee from the House and Senate to investigate certain charges against the conduct of the Hon. L. J. Brucks, Judge of the 38th Judicial District of Texas.

S. C. R. No. 2, With amendments relating to Legislative rules.

Respectfully submitted,

LOUISE SNOW PHINNEY.

Chief Clerk, House of Representatives.

Motion for Free Conference Committee.

Senator Woodward moved not to concur in the House amendments to S. C. R. No. 2 and to ask for a Free Conference Committee. The motion prevailed.

The Chair appointed the following on the part of the Senate:

Senators Woodward, Purl, Woodul, Moore, and Stevenson.

Senate Bill No. 8.

The Chair laid before the Senate the following bill:

By Senator O'Neal:

S. B. No. 8, A bill to be entitled "An Act amending Article 7336 of the Civil Statutes of Texas (Revision of 1925,) providing a penalty on State and County taxes if not paid by the 31st day of January next succeeding the return of the assessment rolls of the county to the Comptroller; and providing for the

Collector of Taxes to seize and levy upon and sell so much of the personal property belonging to the person whose taxes are delinquent as may be sufficient to pay his taxes together with the ten per cent penalty, interests and all costs accruing thereon; and providing for the collector of taxes to make up triplicate lists of lands and lots on which the taxes for such preceding year are delinquent; and for his presenting said lists to the commissioners court for examination and correction of any correction of any errors that may appear; etc., and declaring an emergency."

Senator Holbrook raised the point of order that the bill had not been printed and laid on the desks of the Senators 24 hours.

Senator Woodward moved to suspend the rule requiring committee reports to lie over 24 hours and to take up this bill.

POINT OF ORDER.

Senator Purl raised the point of order that under this motion the merits of the bill were not subject to discussion.

Senator Woodward withdrew his motion, raising the point of order that multigraphed copies of the bill had been laid on the desks of the Senators 24 hours and that the bill automatically came before the Senate without a motion.

The Chair held that such had been the custom and sustained the point of order.

Senator Stevenson raised the point of order that no calendar containing S. B. No. 8 had been placed on the desks of the Senate.

The Chair sustained the point of order.

Senator Purl moved to suspend this rule. The motion prevailed by the following vote:

Yeas—31.

Beck.	Hornsby.
Berkeley.	Loy.
Cousins.	Martin.
Cunningham.	Moore.
DeBerry.	Neal.
Gainer.	Oneal.
Greer.	Parr.
Hardin.	Parrish.
Holbrook.	Patton.
Hopkins.	Poage.

Pollard.
Purl.
Rawlings.
Russek.
Small.
Stevenson.

Thomason.
Williamson.
Woodul.
Woodruff.
Woodward.

The bill was read second time.
The committee report was adopted, on motion of Senator Purl.

Senator Oneal sent up the following amendments:

Amend S. B. No. 8, by striking out the word "hereinafter" in line 13, page 3, and inserting in line thereof the word "hereinbefore."

ONEAL.

Read and adopted.

Amend S. B. No. 8 by adding to Section 1, thereof and at the end of said section the following paragraph:

"Provided, that the Comptroller of Public Accounts shall have the authority to prescribe any additional forms for receipts for taxes paid under this Act and any additional forms for reports under this Act, as may in his judgment be deemed necessary."

O'NEAL.

Read and adopted.

Senator Woodward sent up the following amendment:

Amend S. B. No. 8, by adding thereto just preceding the emergency clause the following:

If any part or section or provision of this act should be declared invalid for any reason it shall not effect the other portions thereof and it is declared to be the intent of the Legislature that said act would have been passed regardless of any portion being held invalid; and if any part is held invalid the remaining parts shall not be affected thereby.

WOODWARD
PURL.

Read and adopted.

Senator Holbrook sent up the following amendment:

Amending Senate Bill No. 8, by adding the following at the end of Section 1, of said bill:

"Provided, however, that the provisions of this Act shall not apply as to the collection of county taxes in any county in Texas, unless and until the Commissioners Court shall have entered an order allowing and

granting to the taxpayers in said County such rights in respect to the collection of county taxes.

HOLBROOK,
HORNSBY.

The amendment was read.

Senator Purl raised the point of order that the amendment was unconstitutional in that the Legislature could not delegate to Commissioners Courts or any other body the right to elect whether or not they will enforce a general law.

The Chair overruled the point of order, holding that decision of this point belonged to the courts.

The amendment was adopted by the following vote:

Yeas—18.

Berkeley.	Parr.
Cousins.	Patton.
Holbrook.	Rawlings.
Hopkins.	Russek.
Hornsby.	Stevenson.
Martin.	Thomason.
Moore.	Williamson.
Neal.	Woodul.
Oneal.	Woodward.

Nays—8.

Cunningham.	Poage.
DeBerry.	Purl.
Gainer.	Small.
Parrish.	Woodruff.

Absent.

Beck.	Loy.
Greer.	Pollard.
Hardin.	

Senator Woodward sent up the following amendment:

Amend the caption to S. B. No. 8 by inserting therein as indicated herein the following:

By inserting after the word "June" in the last line of the caption the following: "And authorizing the Comptroller to prescribe necessary forms to operate under this act and providing that the provisions of this act shall not apply as to county taxes unless the Commissioners' Court of the county shall enter an order granting such rights to all taxpayers in said county and providing that if any part or section of this act is declared invalid for any reason, it shall not affect the remaining portions thereof."

WOODWARD,
PURL.

Read and adopted.

Senator Berkeley sent up the following amendments:

Amend Senate Bill No. 8, mimeographed copy, page 2, line 22 by adding after the word shall "Be approved by said court and one copy thereof shall."

BERKELEY.

Read and adopted.

Amend Senate Bill No. 8, mimeographed copy, page 2, line 27 by adding after the word books "on file in the collectors office or either said list or assessment rolls or books."

BERKELEY.

Read and adopted.

Amend Senate Bill No. 8, mimeographed copy, page 2, line 4, by substituting the word "to" for the word "of" after the word "county."

BERKELEY.

Read and adopted.

The bill was passed to engrossment.

On motion of Senator Woodward the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 8, was put on its third reading and final passage, by the following vote:

Yeas—31.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Poage.
DeBerry.	Pollard.
Gainer.	Purl.
Greer.	Rawlings.
Hardin.	Russek.
Holbrook.	Small.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodul.
Moore.	Woodruff.
Neal.	Woodward.
Oneal.	

Read third time and finally passed by the following vote:

Yeas—31.

Beck.	Holbrook.
Berkeley.	Hopkins.
Cousins.	Hornsby.
Cunningham.	Loy.
DeBerry.	Martin.
Gainer.	Moore.
Greer.	Neal.
Hardin.	Oneal.

Parr.	Small.
Parrish.	Stevenson.
Patton.	Thomason.
Poage.	Williamson.
Pollard.	Woodul.
Purl.	Woodruff.
Rawlings.	Woodward.
Russek.	

Executive Session.

At 11 o'clock the Chair announced that the hour for the executive session had arrived.

On motion of Senator Woodward, the executive session was postponed until 2:30 o'clock p. m.

Recess.

On motion of Senator Woodward, the Senate, at 12:15 o'clock p. m., recessed until 2 o'clock p. m.

After Recess.

The Senate met at 2 o'clock p. m., pursuant to recess, and was called to order by Lieutenant Governor Edgar Witt.

Senate Bill No. 10.

On motion of Senator Oneal, the Senate voted to suspend the Constitutional rule relating to the consideration of bills during the first 30 days by the committee and the Senate and took up S. B. No. 10 by the following vote:

Yeas—31.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Poage.
DeBerry.	Pollard.
Gainer.	Purl.
Greer.	Rawlings.
Hardin.	Russek.
Holbrook.	Small.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodul.
Moore.	Woodruff.
Neal.	Woodward.
Oneal.	

The committee report was received.

The Chair laid before the Senate the following bill:

By Senator Oneal:

S. B. No. 10, A bill to be entitled "An Act to amend Chapter 36 of the Local and Special Laws of the

Regular Session of the 31st Legislature of the State of Texas, entitled: 'An Act to validate the Wichita Falls Independent School District, in Wichita County, Texas, incorporated at an election held on the first day of August, 1908, and to validate the official acts of its trustees, and to extend its boundaries and to declare the Wichita Falls Independent School District as herein defined, a body corporate, to provide for the election of trustees of said district and define their powers and duties and to authorize them to appoint other officers for said district and define their duties and to provide for the levy and collection of taxes in said district for the support of the public free schools therein and for the issuance of bonds for the erection and equipment of school buildings therein and to vest the title to all public free school property in said district in said trustees for the benefit of the public free schools and for the collection of all unpaid school taxes on property in said district and for the payment by the said district of all outstanding debts and obligations chargeable against it, and to authorize the sale of school property unsuitable for school purposes and re-investment of the proceeds and to authorize the said trustees to have exclusive management, control and direction of the public free schools in said district, and declaring an emergency,' which has been heretofore amended, and as heretofore amended so as to add thereto Section 21-a providing that the trustees shall, upon a petition or may without such petition, order an election and submit to the qualified voters of said district the question of whether or not an additional tax of 20 cents on the \$100, or any less tax of the taxable property within said district shall be levied and collected annually for the maintenance of a junior college in said district and the erection and equipment of a junior college building or buildings therein, etc., and declaring an emergency."

The rule requiring committee reports to lie over 24 hours was suspended by a four-fifths vote.

The committee report carrying amendment was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Oneal the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 10, was put on its third reading and final passage, by the following vote:

Yeas—31.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Poage.
DeBerry.	Pollard.
Gainer.	Purl.
Greer.	Rawlings.
Hardin.	Russek.
Holbrook.	Small.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodul.
Moore.	Woodruff.
Neal.	Woodward.
Oneal.	

Read third time and finally passed by the following vote:

Yeas—31.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Poage.
DeBerry.	Pollard.
Gainer.	Purl.
Greer.	Rawlings.
Hardin.	Russek.
Holbrook.	Small.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodul.
Moore.	Woodruff.
Neal.	Woodward.
Oneal.	

S. B. No. 30.

On motion of Senator Parr, the Senate voted to suspend the constitutional rule relating to the consideration of bills during the first 30 days by the committee and by the Senate and took up S. B. No. 30 by the following vote:

Yeas—31.

Beck.	Hardin.
Berkeley.	Holbrook.
Cousins.	Hopkins.
Cunningham.	Hornsby.
DeBerry.	Loy.
Gainer.	Martin.
Greer.	Moore.

Neal.
Oneal.
Parr.
Parrish.
Patton.
Poage.
Pollard.
Purl.
Rawlings.

Russek.
Small.
Stevenson.
Thomason.
Williamson.
Woodul.
Woodruff.
Woodward

The committee report was received.

The Chair laid before the Senate the following bill:

By Senator Parr:

S. B. No. 30, A bill to be entitled "An Act ratifying and validating the creation of Common School District Number Twenty-four of Duval County, Texas; ratifying and validating the order made and entered by the county board of Trustees of Duval County, Texas, on May 16, 1930, re-establishing and redefining such common school districts; etc."

The rule requiring committee reports to lie over 24 hours was suspended by a four-fifths vote.

The committee report was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Parr the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 30 was put on its third reading and final passage, by the following vote:

Yeas—31.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Poage.
DeBerry.	Pollard.
Gainer.	Purl.
Greer.	Rawlings.
Hardin.	Russek.
Holbrook.	Small.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodul.
Moore.	Woodruff.
Neal.	Woodward
Oneal.	

Read third time and finally passed by the following vote:

Yeas—31.

Beck.	Cunningham.
Berkeley.	DeBerry.
Cousins.	Gainer.

Greer.	Poage.
Hardin.	Pollard.
Holbrook.	Purl.
Hopkins.	Rawlings.
Hornsby.	Russek.
Loy.	Small.
Martin.	Stevenson.
Moore.	Thomason.
Neal.	Williamson.
Oneal.	Woodul.
Parr.	Woodruff.
Parrish.	Woodward.
Patton.	

Simple Resolution No. 16.

Senator Williamson sent up the following resolution:

Be it Resolved that the Door-keeper shall keep his station at the outer door of the Senate Chamber, leaving the inner door unobstructed so that Senators in going to the 'phone booths in the lobby between the two doors may do so without obstruction or delay.

WILLIAMSON.

Read and adopted.

Simple Resolution No. 17.

Senator Neal sent up the following resolution:

Be it Resolved, by the Senate of Texas that a Committee of three Senators be appointed to arrange for having photographs made of the Governor, Lieutenant Governor and Senators of the 42nd Legislature and hung in the Senate Chamber.

NEAL
WOODWARD
HARDIN

The resolution was read.

Senator Small moved to lay the resolution on the table subject to call. The motion was lost.

The resolution was adopted.

Executive Session.

At 2:30 o'clock p. m., the Chair announced that the hour for the executive session had arrived.

The Chamber was cleared and the doors were locked.

After Executive Session.

At the conclusion of the executive session, the Secretary of the Senate informed the Journal Clerk that the following action had been taken:

Committee Room,
Austin, Texas, Jan. 22, 1931.
Hon. Edgar E. Witt, President of Senate.

Sir: We, your Committee on Governor's Nominations, to whom was referred the following nominations of the Governor, beg leave to report that we have considered the appointees recommended by the Governor, and recommend that the appointment of the following named persons for the following positions be in all things confirmed:

Court of Criminal Appeals
Commission.

Hon Geo. E. Christian, of Burnet County, to succeed the Hon. A. B. Martin, resigned, and term to expire on July 1, 1935;

Hon. Geo. Calhoun, of Travis County, to succeed the Hon. Geo. E. Christian, resigned, term to expire on July 1, 1933.

State's Prosecuting Attorney.

Hon. Lloyd Davidson of Hopkins County, to succeed Hon. A. A. Dawson.

District Judges.

Judicial District No.

2. Hon. C. E. Brazil of Lufkin, Texas, to succeed Hon. J. W. Bates, deceased.

8. Hon. L. L. Bowman of Hunt County to succeed Hon. Grover Sellers, resigned.

39. Hon. Clyde Grissom, of Haskell County, to succeed the Hon. Bruce Bryant, resigned.

51. Hon. J. F. Sutton, of Tom Green County, to succeed the Hon. J. P. Hill, resigned.

53. Hon. C. A. Wheeler, of Travis County, to succeed Hon. Geo. Calhoun, resigned.

114. Hon. Clifford Braly of Pampa, Texas. (newly created district.)

116. Hon. Robt. B. Allen, Sr., of Dallas County (newly created district).

117. Hon. Birge Holt, of Nueces County (newly created district).

District Attorneys.

Judicial District No.

31. Hon C. G. Engledown of Pampa, Texas, to succeed Hon. Clifford Braly, resigned.
37. Hon. Walter Tynan, of Bexar County, to succeed Hon. Lamar Seeligson, resigned.
39. Hon. Henry Grindstaff, of Stonewall County, to succeed Hon. Clyde Grissom, resigned.
81. Hon. L. Morgan Williams, of Atascosa County, to succeed Hon. C. S. Slatton, resigned.
84. Hon. W. L. McConnell, of Taylor County, to succeed Hon. Clem Calhoun, resigned.

Board of Regents State Teachers Colleges.

W. C. Crane, of Franklin, Texas, to succeed W. H. Frey, deceased.

Board of Regents of Texas Woman's College (C. I. A.).

S. C. Rowe, of Tarrant County, to succeed C. U. Connellee, deceased.

Texas Prison Board.

Dr. Holman Taylor of Tarrant County, to succeed to the term heretofore held by D. R. Nelson.

Mrs. Florence C. Floore of Cleburne, Texas, to succeed Dr. A. C. Scott, resigned.

State Board of Health.

Dr. John W. Burns, of Cuero, Texas, to succeed Dr. Joe Gilbert, resigned.

State Mining Board.

Eldred McKinnon, Travis County, to succeed W. H. Richardson, resigned.

Chas. Bando, of New Castle, Texas, to succeed W. T. Beavers, resigned.

Gonzales State Park Commission.

Mrs. Kent E. Gardien, of Gonzales County.

Mrs. B. N. Peck, of Gonzales County.

Mrs. W. T. Dunning, of Gonzales County.

Texas Historical Board.

Dr. Alex Dienst, of Bell County.

Dr. E. C. Barker, of Travis County.

Mrs. W. R. Potter, of Montague County.

Library and Historical Commission.

Miss Laura Aline Hobby, of Dallas County.

State Board of Barber Examiners.

J. B. Robinson, of Dallas County, to succeed to term of Joe Chestnutt, resigned, and term to expire in 1931.

Eldon L. Smith, of Dallas County, to succeed C. J. Adams, and whose term expires in 1933.

Presiding Judges of Administrative Judicial District.

District No.

1. Hon. Joel R. Bond, of Terrell, re-appointed.
2. Hon. W. C. Davis, of Bryan, re-appointed.
3. Hon. J. D. Moore, of Austin, to succeed Hon. Geo. Calhoun, resigned.
7. Hon. W. R. Chapman, of Taylor County, re-appointment.
8. Hon. P. A. Martin, of Wichita County, re-appointed.
9. Hon. Reese Tatum, of Dalhart, re-appointed.

Board of Regents of Texas College of Arts and Industries.

Hon. Claude Pollard, of Austin, to succeed Ed. Lassiter, deceased.

Advisory Judicial Council.

Hon. James W. McClendon, Chief of the Court of Civil appeals of the Third Supreme Judicial District, re-appointed.

Hon. R. W. Hall, of the Amarillo Court of Civil Appeals, re-appointed.

Hon. R. W. Stayton, of Austin, Texas, to succeed Hon. W. E. Orgain, resigned.

Hon. W. R. Chapman, District Judge at Abilene, re-appointed.

Hon. P. A. Martin, District Judge at Wichita Falls, re-appointed.

Board of Nurse Examiners.

Mrs. Eloween Mesch, of Bexar County.

Miss Mary Grigsby, of McLennan County.

Miss Lena Thomas, of Hunt County.

Miss Grace Engblad, of Harris County.

Secretary of State.

Mrs. Jane Y. McCallum, of Travis County.

Adjutant General.

Capt. W. W. Sterling, of Brooks County.

POLLARD, Chairman.

Confirmed.

Rule Suspended.

Senator Moore moved to suspend the Constitutional rule relating to consideration of bills by Committees during the first 30 days and permit the State Affairs Committee to consider certain bills.

The motion prevailed by the following vote:

Yeas—29.

Beck.	Parrish.
Berkeley.	Patton.
Cousins.	Poage.
Cunningham.	Pollard.
DeBerry.	Purl.
Gainer.	Rawlings.
Hardin.	Russek.
Holbrook.	Small.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Moore.	Woodul.
Neal.	Woodruff.
O'Neal.	Woodward.
Parr.	

Absent.

Greer. Martin.

Adjournment.

On motion of Senator Woodward, the Senate, at 4:10 o'clock p. m., adjourned until Friday morning at 10 o'clock.

APPENDIX.

Committee on Enrolled Bills.

Committee Room,
Austin, Texas, Jan. 21, 1931.
Hon. Edgar Witt, President of the Senate.
Sir: We, your Committee on En-

rolled Bills, have carefully examined Senate Concurrent Resolution No. 8 and find the same correctly enrolled.

GREER, Chairman.

Committee on Engrossed Bills.

Committee Room,
Austin, Texas, Jan. 21, 1931.
Hon. Edgar Witt, President of the Senate.

Sir: We, Your Committee on Engrossed Bills have had S. B. No. 29, carefully examined and find the same correctly engrossed.

HARDIN, Chairman.

Committee Reports.

Committee Room,
Austin Texas, Jan. 22, 1931.
Hon. Edgar Witt, President of the Senate.

Sir: We, your Committee on Education to whom was referred

S. B. No. 10, A bill to be entitled "An Act to amend Chapter 36 of the Local and Special Laws of the Regular Session of the 31st Legislature of the State of Texas, entitled: "An Act to validate the Wichita Falls Independent School District, in Wichita County, Texas, incorporated at an election held on the first day of August, 1908, and to validate the official acts of its trustees, and to extend its boundaries and to declare the Wichita Falls Independent School District as herein defined," and declaring an emergency."

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass with amendments.

NEAL, Chairman.

Amend Section 2 by striking out all of that part of Section 2, beginning with the word "Section" in the fifth line thereof, and substituting in lieu thereof the following:

Section 28: All taxes provided for by this Act for the calendar year 1930, and for each calendar year thereafter shall become due on the 1st day of November of each year and shall be payable as follows:

Unless one-fourth of the taxes so levied shall be paid on or before the 31st day of January next thereafter, the entire taxes levied for each calendar year shall become delinquent on said date. If the first one-fourth

of such taxes levied as aforesaid, shall be paid on or before the 31st day of January, aforesaid, and the 2nd one-fourth of such taxes shall not be paid on or before the 30th day of April, next thereafter, then all of the said taxes remaining unpaid become delinquent on said date. If the first two-fourth of such taxes levied as aforesaid shall have been paid on or before the 30th day of April, aforesaid, and the third one-fourth of said taxes shall not be paid before July 31st next thereafter, then all of the said taxes remaining unpaid at said date shall become delinquent on said date. If the said three-fourths of said taxes shall have been paid on or before July 31st, aforesaid, and the fourth one-fourth of said taxes shall not be paid on or before October 31st next thereafter, then said taxes remaining unpaid shall become delinquent on said date.

Committee Room,
Austin, Texas, Jan. 22, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 30, A bill to be entitled "An Act ratifying and validating the creation of Common School District No. 24 of Duval County, Texas; ratifying and validating the order made and entered by the county board of trustees of Duval County, Texas on May 16, 1930, re-establishing and re-defining such Common School district, etc."

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

NEAL, Chairman.

NINTH DAY.

Senate Chamber,
Austin, Texas,
January 23, 1931.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by Lieutenant Governor Edgar Witt.

The roll was called, a quorum being present, the following Senators answering to their names:

Beck.	Oneal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Purl.
Hardin.	Rawlings.
Holbrook.	Russek.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Moore.	Woodruff.
Neal.	Woodward.

Absent—Excused.

Greer.	Small.
Martin.	Woodul.
Pollard.	

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Woodward.

Petitions and Memorials.

(See Appendix.)

Committee Reports.

(See Appendix.)

Bills and Resolutions.

By Senator Berkeley:

S. B. No. 85, A bill to be entitled "An Act to amend Section, Chapter 18, Acts of the Fifth Called Session of the 41st Legislature, and declaring an emergency."

Read and referred to Committee on State Highways and Motor Traffic.

By Senator Parr:

S. B. No. 86, A bill to be entitled "An Act creating the 118th Judicial District to be composed of the counties of Starr, Jim Wells, Duval and Brooks, prescribing the jurisdiction of said court and exceptions thereto, providing for a judge and district attorney of said court, and amending Section 2, Chapter 45, Acts of the Regular Session of the 79th Legislature, and amending Section 11 of Chapter 55, Acts of the Regular Session of the 38th Legislature, and prescribing the effective date hereof, repealing all laws in conflict herewith, and declaring an emergency."

Read and referred to Committee on Judicial Districts.